

**DELEGATION OF AUTHORITY
CLEAN AIR ACT (CAA)**

Noncompliance Penalty: De Minimis Exemptions

1. **AUTHORITY.** Pursuant to Section 120 of the Clean Air Act with regard to the requirements of the noncompliance penalty section where a particular instance of noncompliance is due to a violation which is de minimis in nature and duration:
 - a. To publish a notice and provide an opportunity for a public hearing; and
 - b. To grant an exemption from the requirements.
2. **TO WHOM REDELEGATED.** To the Director, Office of Compliance and Enforcement, or equivalent.
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the office director must consult with the AA for OECA.
 - b. The AA for OECA may exercise these authorities in multi-regional cases or in cases of national significance.
 - c. The AA for OECA must notify the affected office director prior to exercising any of the above authorities.
 - d. The AA for OECA may waive, in writing, consultation requirement.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the unit manager level, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 7-44 (05/28/2004) and any other delegation of the same authority.
6. **ADDITIONAL REFERENCES.**
 - a. Section 120 of CAA.
 - b. EPA Delegation 7-44.

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Date



Michelle L. Pirzadeh
Acting Regional Administrator